

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LONG VAN NGUYEN, *et al.*
MAJOR SINGH DHANOA, and
RASHPAL SINGH SANDHU.

Defendants.

CR 04-549 JLR

ORDER CONTINUING TRIAL DATE
AND PRETRIAL MOTIONS DEADLINE

ORDER

THIS MATTER COMES before the Court on the Defendants' Unopposed Motion for Continuance of Trial Date. The Court has considered the Motion, the Government's Response to the Motion, and all of the files and records herein.

THE COURT FINDS AS FOLLOWS:

1. This is a criminal case charging the defendants with participation in complex conspiracies to import marijuana, to distribute marijuana, and to launder money. The defendants have moved for a continuance of the trial date because they require additional time to prepare for trial. The Government does not oppose this motion. Based on the facts set forth in the Defendants' Motion, as well as those set forth in the Government's Response, the Court makes the Findings and Order set forth below.

2. This case is sufficiently factually and legally complex that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the current time limits, within the meaning of 18 U.S.C. § 3161 (h)(8)(B)(ii).

3. The failure to grant a continuance in this case will likely deny the defendants the reasonable time necessary for effective preparation for trial and other pretrial proceedings, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161 (h)(8)(B)(iv).

4. The failure to grant such a continuance in this proceeding will likely result in a miscarriage of justice within the meaning of 18 U.S.C. § 3161 (h)(B)(i).

5. The ends of justice served by granting this continuance outweigh the interests of the public and the defendants in any speedier trial, within the meaning of 18 U.S.C. § 3161 (h)(8)(A).

THE COURT THEREFORE ORDERS THAT:

1. The motion to continue the trial date is granted.

2. The trial shall be continued from December 6, 2005 to March 28, 2006.

2. The Court further orders that all pretrial motions shall be filed on or before February 14, 2006.

3. The period of time from the current trial date until the new trial date encompassed by this continuance shall be excluded from the computation of time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

4. Each defendant shall promptly file a speedy trial waiver encompassing the excluded time period.

DATED this 31st day of October, 2005.

s/James L. Robart

THE HONORABLE JAMES L. ROBART
United States District Judge